

UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF NORTH CAROLINA  
ASHEVILLE DIVISION  
1:15 CR 97-1

UNITED STATES OF AMERICA )  
 )  
v. )  
 )  
1) KEVIN WAYNE VANOVER, )  
 )  
Defendant. )  
\_\_\_\_\_)

ORDER

THIS MATTER came before the undersigned pursuant to a motion filed by the Government entitled “United States’ Application and Proposed Order to Maintain Property in Custody for Criminal Forfeiture” (#7). The motion did not reflect that the Assistant United States Attorney had conferred with opposing counsel concerning the motion as required by Local Rule of Criminal Procedure 47.1(B). At the call of this matter on for hearing on November 25, 2015, the undersigned inquired of Defendant’s counsel as to whether or not there was any objection by the Defendant to the motion. Counsel for Defendant advised that Defendant had no objection to the Government maintaining and preserving the firearms described in the motion, but was reserving all rights that Defendant might have to present future claims regarding any of the firearms described in the motion. As a result, the motion will be allowed.

## **ORDER**

**IT IS, THEREFORE, ORDERED** that the United States' Application and Proposed Order to Maintain Property in Custody for Criminal Forfeiture (#7) is **ALLOWED** and the United States and its agencies is to maintain custody of the following property pending the conclusion of further proceedings in this matter:

- 1) a Ruger, .308 caliber rifle, SN 680-10792
- 2) a Rossi, .357 caliber, ranch hand pistol, SN SNK290811
- 3) a Smith & Wesson, .357 caliber, model 686 revolver, SN CAZ8326
- 4) a Bushmaster, model XM-15E2S receiver, SN BK1708209
- 5) a Taurus 45/410 caliber, model Raging Judge revolver, SN FX688179
- 6) a Ruger, .380 caliber, model LCP pistol, SN 371395609
- 7) a Springfield Armory, .45 caliber, model Champion pistol, SN N557993
- 8) a Sig Sauer, 9mm caliber, model P239 pistol, SN SBU005283
- 9) a Ruger, .22 caliber, model 10/22 rifle, SN 823-17368
- 10) a Browning .16 gauge, model Sweet 16, shotgun, SN 19234
- 11) a Mossberg .12 gauge, model 500, shotgun, SN 212913
- 12) a Double Star Corp., 5.56 caliber, model Star 15, machinegun, SN DS33211
- 13) a Smith & Wesson, 5.56 caliber, model M&P 15, machinegun, SN 27604
- 14) a Browning .308 caliber, model 1919A4, machinegun, SN unknown,
- 15) a suppressor, black in color, no SN
- 16) a suppressor, camo in color, no SN
- 17) 15 rounds of assorted ammunition

**IT IS FURTHER ORDERED** that the United States and its agencies, including the United States Marshal Service and the ATF and any other United States agency is authorized to maintain and preserve the above described assets until the conclusion of this matter.

Signed: December 1, 2015

Dennis L. Howell

Dennis L. Howell  
United States Magistrate Judge

